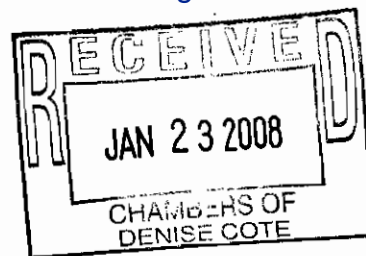


MEMO ENDORSED



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January 22, 2008

BY HAND

Honorable Denise L. Cote
United States District Judge
United States Courthouse, Southern District of New York
500 Pearl Street
New York, New York 10007

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/23/08**

Re: Morant v. The City of New York et al. 08-cv-00007 (DLC)(DCF)

Your Honor:

As the Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to defend the above-referenced matter, I write to respectfully request that the Court grant defendant City of New York a sixty (60) day enlargement of time to and including March 24, 2008 in which to respond to the complaint.¹ Plaintiff's counsel, Mr. Richard Cardinale, consents to this request.

Plaintiff brings this action pursuant to 42 U.S.C. §1983 alleging, *inter alia*, that on October 19, 2007 at approximately 6:45 p.m., she was falsely arrested and detained for approximately twenty-four (24) hours. According to plaintiff, the District Attorney declined to prosecute the charges against her. Based on the foregoing, it is necessary for defendant City of New York to acquire as much information as possible concerning this matter in order to properly assess the case and respond to the complaint. Currently, this office is in the process of forwarding to plaintiffs for execution, a consent and authorization for the release of records sealed pursuant to New York Criminal Procedure Law § 160.50. Defendant cannot obtain these records without plaintiffs' authorization, and without the records, defendant cannot properly assess this case or respond to the complaint.

¹ Upon information and belief, the individual identified in the caption of the complaint as "Detective Martin" has not been served with a copy of the summons and complaint. Without appearing on his/her behalf, it is respectfully requested that, in the event he/she was served, the same extension be granted to him/her in order to ensure that his/her defenses are not jeopardized while representation issues are being decided.

No previous request for an enlargement of time has been made. Accordingly, it is respectfully requested that defendant's time to respond to the complaint be extended to and including March 24, 2008.

I thank Your Honor for considering the within request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Birnbaum".

Brooke Birnbaum (BB 8338)
Assistant Corporation Counsel

cc: Mr. Richard Cardinale, Esq. (by fax)